



U.S. Department of Justice

*United States Attorney
Eastern District of California*

501 I Street, Suite 10-100
Sacramento, California 95814

916/554-2700
Fax 916/554-2900

FOR IMMEDIATE RELEASE
November 18, 2003

**19 YEAR-OLD SACRAMENTO MAN CHARGED BY FEDERAL GRAND JURY
WITH POSSESSION OF FIREARM AND DRUGS
JUST MONTHS AFTER PRIOR FELONY CONVICTION**

United States Attorney McGregor W. Scott announced today that ADRIAN HERNANDEZ, 19, of Sacramento, was arraigned today on an indictment returned by a federal grand jury charging him with Possession of a Firearm After Having Been Previously Convicted of a Felony and Possession of Marijuana.

According to Assistant United States Attorney Anne Pings, who is prosecuting the case, the affidavit filed in support of the Criminal Complaint alleges that on October 9, 2003, officers of the Sacramento Police Department stopped a vehicle being driven by Adrian Hernandez after they observed him speeding. Hernandez told the officers he had been smoking marijuana. The officers recovered a Colt .45 caliber semi-automatic pistol with a loaded magazine and 2 bags of marijuana from the car. The indictment alleges that he committed these offenses after just having been convicted in February of this year in Sacramento County Superior Court for Possession of a Controlled Substance for Sale.

The new federal charges are only allegations and the defendant is presumed innocent until and unless proven guilty beyond a reasonable doubt.

If convicted, HERNANDEZ faces a maximum federal penalty for the firearms charge of 10 years in federal prison, a \$250,000 fine and a three-year term of supervised release. The

maximum penalty for the drug offense is 2 years. There is no parole on federal sentences.

This case is the product of an arrest by the Sacramento Police Department. This case is the product of efforts by local law enforcement agencies, the U.S. Attorney's Office, and the Bureau of Alcohol Tobacco and Firearms to more effectively enforce the laws which prohibit possession of firearms by individuals who have already been previously convicted of felony offenses. By prosecuting such cases in the federal court instead of the Superior Court, the time that such felons will actually serve is increased. The sentences for federal offenses are generally longer than those under state law and, unlike state court prisoners who can be released early on parole, federal prisoners serve almost the full prison term before being released and then being subjected to another 3 years of supervision.

These efforts by the U.S. Attorney fall under a U.S. Department of Justice program called "Project Safe Neighborhoods," which, in addition to promoting vigorous prosecution of firearms offenses by convicted felons, also provides funding to local agencies to be used toward efforts to reduce gun violence in local communities.